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TO

Confirm two Provisional Orders of the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the improvement of Streets in the Boroughs of Belfast and Londonderry. A.D. 1891.
—

WHEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the Schedule hereunto annexed under the provisions of the Public Health (Ireland) Act, 1878: 41 & 42 Vict.
c. 52.

5 And whereas it is requisite that the said Orders should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled,

10 and by the authority of the same, as follows:

1. The Orders set out in the Schedule hereunto annexed shall be and the same are hereby confirmed, and shall be construed as part of this Act, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force. Provisional
Orders
in Schedule
confirmed.

15 2. The Sanitary Authorities of the Cities of Belfast and Londonderry shall not under the powers of this Act, or of the Orders set out in the Schedule to this Act, without the consent of the Local Government Board for Ireland, purchase or acquire ten or more houses which, after the passing of this Act, have been, or on the
20 fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, unless and until—

(a.) They shall have obtained the approval of the Local Government Board for Ireland to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Board shall, after inquiry, deem necessary, having regard to the number of persons on or after

[Bill 300.]

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that date residing in such houses and working within one mile therefrom, and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses, or to the place of employment of such persons, and to all the circumstances of the case; and

(5.) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the said Local Government Board to any scheme under this section may be given either absolutely or conditionally, and after the Local Government Board have approved of any such scheme they may from time to time approve or disapprove absolutely or conditionally of any modifications in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out, and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Local Government Board may dispense with the last-mentioned requirement, subject to such conditions, if any, as they may deem fit.

(4.) Any conditions subject to which the Local Government Board may have approved of any scheme, or of any modifications of any scheme under this section, or subject to which they may have dispensed with the above-mentioned requirement, shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(5.) If the sanitary authority acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions, or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme, they shall be liable to a penalty of five hundred pounds in respect of every such house, which penalty shall be recoverable by the Local Government Board for Ireland by action in the High Court, and shall be carried to and form part of the Consolidated Fund of the United Kingdom:

Provided that the Court may, if it think fit, reduce such penalty.

(6.) Subject to the provisions of this section, the sanitary authority and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them

under the Public Health (Ireland) Act, 1878, in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act:

Provided that all lands on which any buildings have been erected or provided by the sanitary authority in pursuance of any scheme under this section, shall, for a period of twenty-five years from the passing of this Act, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be endorsed with notice of this enactment:

10 Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section, subject to such conditions, if any, as they may deem fit.

(7.) The sanitary authority shall, if required by the Local Government Board for Ireland, pay to the said Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section, and any expenses incurred by that Board in relation to any inquiries under this section, including the expenses of any witnesses summoned by the inspector holding the inquiry, and a sum to be fixed by that Board, not exceeding *three guineas* a day, for the services of such inspector.

(8.) For the purposes of this section, the expression "labouring class" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others, except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of *thirty shillings* a week, and the families of any of such persons who may be residing with them.

30 3. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (No. 8) Act, 1891.

SCHEDULE.

A.D. 1891.

Belfast.

THE LOCAL GOVERNMENT BOARD FOR IRELAND,

BELFAST IMPROVEMENT.

PROVISIONAL ORDER.

WHEREAS the Mayor Aldermen and Citizens of the City of Belfast, being 5
the Sanitary Authority of the said City, and being desirous of widening and
otherwise improving certain streets and thoroughfares, and for that purpose of
obtaining compulsory powers to purchase the several hereditaments required,
as set out in the deposited Plans, did duly Publish the advertisements and Serve 10
the notices required by the Statute, in that behalf, and have presented a Petition
to the Local Government Board for Ireland in pursuance of the provisions of the
Public Health (Ireland) Act, 1878, praying that they may be empowered to put
in force the powers of the Lands Clauses Consolidation Acts as defined by the
Public Health (Ireland) Act, 1878, with respect to the purchase and taking of 15
Lands otherwise than by Agreement, in order to enable them to effect and
maintain the said Works and Improvements, and also praying for certain
incidental matters.

And whereas the said Sanitary Authority of Belfast deposited the necessary
Plans of the proposed works at the office of the Local Government Board in
Dublin with a Book of Reference (herein-after referred to as the deposited Plans 20
and Book of Reference) showing the Works intended to be executed and the
ground and houses proposed to be purchased for the purpose of effecting the said
Works and Improvements.

And whereas all Public Advertisements and all Notices required by the Public
Health (Ireland) Act, 1878, having been duly published and served the said 25
Local Government Board caused a Local Inquiry to be held and a Report to be
made to them as to the propriety of assenting to the prayer of the Petition of the
said Sanitary Authority, and the Local Government Board have considered and
decided that such consent should be given as herein-after appearing.

It is ordered by the Local Government Board as follows :—

- (1.) From and after the confirmation of this Order by Parliament the said 30
Sanitary Authority shall be empowered to put in force the powers of the
Lands Clauses Acts with respect to the purchase and taking of Lands other-
wise than by Agreement with respect to the Lands described in the deposited
Plans and Book of Reference.
- (2.) In this Order the word Lands shall include any rights or easements 35
annexed or appurtenant thereto, or enjoyed therewith.
- (3.) In case it shall happen that any part of the Lands acquired by the said
Sanitary Authority in pursuance of any power contained in this Order shall
not be actually required for the purpose for which they were acquired, it 40
shall be lawful for the said Sanitary Authority either to sell the same and
dispose of the proceeds of such Sale as provided by the Public Health

Compulsory
powers to take
lands and
premises.

Interpretation
of terms.

- (Ireland) Act, 1878, or to demise the same for any term of years or to grant the same in fee-farm subject to such rents covenants stipulations and conditions as may seem expedient to the said Sanitary Authority and the rents reserved upon any such lettings shall be applied towards the discharge of any principal monies borrowed by such Authority on the security of the rates applicable for Sanitary purposes under the said Public Health Act: and not later than 10 years after the completion of the Works hereby authorised the said Sanitary Authority shall sell and dispose of not only all lands acquired by them under the powers herein contained for the purpose of the proposed Works and not actually required for the same, but also all fee-farm or other rents reserved on any such demise or grant.
- (4.) This Order may be cited and referred to for all purposes as the Local Government Board (Ireland) Provisional Order Belfast Streets Improvement, 1891.
- Given under our Hands and Seal of Office this 28th day of April, in the year of Our Lord One Thousand Eight Hundred and Ninety-one.

A.D. 1891.

Belfast.

(L.S.)

(Signed)

GEORGE MORRIS.

F. MACCARR.

H. A. ROBINSON.

Short title of Order.

20 **BOROUGH OF LONDONDERRY.**

Londonderry.

PROVISIONAL ORDER.

- WHEREAS the Mayor, Aldermen and Burgesses of the Borough of Londonderry (herein-after called the Sanitary Authority) are about to make new streets and to widen and improve existing streets within their Sanitary District and have presented a Petition to the Local Government Board for Ireland (herein-after called the Local Government Board), in pursuance of the Public Health (Ireland) Act, 1878, praying that they may be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of land, otherwise than by agreement for the purposes aforesaid.
- And whereas the Sanitary Authority have deposited at the Office of the Local Government Board in Dublin plans and a Book of Reference therein-after called the deposited Plans and Book of Reference) showing the land required for the said purposes.
- And whereas all advertisements and notices required by the Public Health (Ireland) Act, 1878, having been previously published served and given, the Local Government Board has caused a Local Inquiry to be held as to the propriety of assenting to the prayer of the said Petition, and it appears to the Local Government Board to be proper to assent thereto save so far as it relates to the making of a New Street between Academy Road and Crawford Square, in the said Sanitary District.

It is ordered by the Local Government Board as follows:—

1. From and after the time of the Confirmation of this Order by Parliament, the Sanitary Authority shall be empowered to put in force the powers of

Compulsory powers to take lands.

A.D. 1891.

*London-
derry.*

the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement with respect to the land shown in the deposited plans and book of reference, except the plots therein numbered 12 and 13, and the part of plot No. 1 (proposed to be taken for the purpose of making a New Street between Academy Road and Crawford Square), which is not required for the purpose of making a Public Foot-
path between Academy Road and Crawford Square. 5

And it is further ordered that, for the purpose of making such Public Foot-
path, the Sanitary Authority shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of land
otherwise than by agreement with reference to the part of plot No. 1 eight
feet in width along the West side of the said plot, and also with reference
to plot No. 14. 10

Protection of
dwellings of
working
classes.

2. The Sanitary Authority shall not under the powers of this Order, without
the Consent of the Local Government Board, purchase or acquire ten or
more houses which, after the confirmation of this Order, have been or on
the fifteenth day of December last were occupied either wholly or partially
by persons belonging to the labouring class as tenants or lodgers. And,
for the purposes of this Order, the expression labouring class includes
mechanics, artisans, labourers, and others working for wages, hawkers,
costermongers, persons not working for wages, but working at some trade
or handicraft without employing others, except members of their own
family, and persons other than domestic servants, whose income does
not exceed an average of thirty shillings a week, and the families of any
such persons who may be residing with them. 15
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Costs of Order.

3. The Costs and Expenses of the Sanitary Authority and of the Local
Government Board of and in relation to the application for and making of
this Order, and the confirmation thereof by Parliament, shall be paid by
the Sanitary Authority as part of their expenses incurred in the execution
of the Public Health (Ireland) Act, 1878. 30

Short title of
Order.

4. This Order may be cited and referred to for all purposes as the London-
derry (New Streets) Provisional Order, 1891.

Given under Our Hands and Seal of Office, this Twenty-third day of April,
in the year of our Lord One Thousand Eight Hundred and Ninety-one.

(L.S.)

(Signed) GEORGE MORRIS 35
F. MACCARR.

**Local Government
(Ireland) Provisional
Order (No. 3).**

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B I L L

To confirm two Provisional Orders
of the Local Government Board
for Ireland under the Public Health
(Ireland) Act, 1878, relating to the im-
provement of Streets in the Boroughs
of Belfast and Londonderry.

*(Prepared and brought in by
(Mr. Attorney-General for Ireland and
Mr. Arthur Clifton).)*

Enacted, by The House of Commons, to be Printed,
(in April 1881).

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